(4) Single Bench

CF 1002

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

W.P. (S) No. 5429 /2006

PETITIONER : Manmohan Lal Bareth
S/o.Late Chhotkaram Bareth
Aged about 39 years
Post- Assistant Teacher
R/o. Rohadi, Post Office
Bamhanidh, District
Janjgir-Champa (C.G.)

P.R. No. 5443/06
Presented by Shri R.K. Pandey
dated 24/10/06

VERSUS

RESPONDENTS :1. State of Chhattisgarh
Through : Secretary
Department of Education
Mantralaya, D.K.S. Bhawan,
Raipur (C.G.)

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24/10/06

2. District Education Officer,
Janjgir, District Janjgir-
Champa (C.G.)

COMMISSIONER APARNA MALVIYA 3/95 Bilaspur

3. Block Education Officer
Block-Bamhanidih
District-Janjgir-Champa
(C.G.)

WRIT PETITION U/A 226/277 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF WRITS IN THE NATURE OF MANDAMUS AND CERTIORARI AND FOR OTHER SUITABLE WRITS AND DIRECTIONS

(26)

HIGH COURT OF CHHATTISGARH AT BILASPUR

SINGLE BENCH : HON'BLE MR. SATISH K. AGNIHOTRI, J.

WRIT PETITION (S.) NO.5429 OF 2006

Petitioner : Manmohan Lal Bareth

versus

Respondents : State of Chhattisgarh and others

Present : Mr. Ramakant Pandey, counsel for the petitioner.
Mrs. Anju Ahuja, Deputy Government Advocate and Mr. Ajay Dwivedi, Panel Lawyer for the respondents/State.

ORDER
(Passed on 6th of October, 2006)

Learned counsel appearing for the petitioner submits that the petitioner is working as Assistant Teacher in the Government Primary School Bamhanidih, Block Bamhanidih, District Janjgir-Champa. In the course of his service, the petitioner passed B.Ed. Examination on 20-12-1996 at his own expenses.

2. Learned counsel for the petitioner relies on the decision of this Court in *Yashwant Kumar Bharadwaj vs. Municipal Corporation, Durg and another*[1], wherein it has been held that the Teachers, having obtained B.Ed., M.Ed., B.T.I. Certificates, at their own expenses, would be entitled to two advance increments. According to learned counsel for the petitioner, the case of the petitioner is squarely covered by the decision in the matter of *Yashwant Kumar Bharadwaj* (Supra). Learned

counsel appearing for the respondents/State fairly concedes to the position and agrees with the statements made by learned counsel for the petitioner.

3. Accordingly, this petition is allowed in terms of the decision of this Court in the matter of *Yashwant Kumar Bharadwaj* (Supra), subject to verification of the fact as to whether the petitioner has acquired B.Ed. Certificate at his own expenses and further whether he has been paid two advance increments or not. No order as to costs.

Certified copy as per rules.

Sd/-
Satish K. Agnihotri
Judge

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Gopal